



State Senator

May 26, 2004

VALDE GARCIA

Serving the 22nd District

Shiawassee-Livingston-Southern Ingham counties

Legislative Update

The following bills were introduced this week. Should you wish to learn more about the proposed legislation, please visit www.michiganlegislature.org and enter the bill number where indicated. The web-site will provide you with the bill's language as introduced and an analysis describing how the bill will affect area industry, the economy and consumers.

Senator Garcia is eager to learn how you feel about proposed legislation. He welcomes your responses via e-mail at senvgarcia@senate.michigan.gov.

BREAKING NEWS FROM SENATOR GARCIA'S OFFICE

A Legislative Bulletin for Residents of the 22nd District

- | | |
|---------|--|
| SB 1253 | BROADBAND SERVICE SCOPE (Stamas)
Requires the Public Service Commission to provide a defining scope of broadband service. |
| SB 1254 | FERTILIZER USE (Kuipers)
Provides for regulation of agricultural fertilizer use; amends Natural Resources and Environmental Protection Act to make several revisions to fertilizer use. |
| SB 1255 | CHARITABLE AUCTION PRICES (McManus)
Amends the General Sales Tax Act to clarify the definition of charitable auction prices as the fair market value of the auction items. |
| SB 1256 | MOBILE HOME COMMISSION ACT (Garcia)
Provides general amendments to the Mobile Home Commission Act. |
| SB 1257 | MOBILE HOME COMMISSION ACT (Garcia)
Provides general amendments to the Mobile Home Commission Act. |
| SB 1258 | TELECOMMUNICATIONS FEE ALLOCATION (Emerson)
Decreases telecommunications fee allocation under the Metropolitan Extension Telecommunications Rights-of-way Oversight Act to 73.5 percent from 75 percent to be disbursed to cities and villages and 24.5 percent to be disbursed to townships from 25 percent; allocates 2 percent to be used by the authority for administrative costs. |
| SB 1259 | INSURANCE CLAIMS DATA (Scott)
Provides for an annual report to the Office of Financial and Insurance Services summarizing automobile or home insurance claims data. |
| SB 1260 | FALSE FINANCIAL STATEMENT (Sanborn)
Includes penalty in sentencing guidelines of up to five years in prison for false or fraudulent filing of financial statement. |

- SB 1261 AUTO THEFT REPORT PREPARATION (Bishop)
Eliminates state court administrative office from development of no-fault insurance report prepared by automobile theft prevention authority.
- SB 1262 MENTAL HEALTH CODE COURT REFERENCE (Patterson)
Revises reference to "state court administrative office" in the mental health code to "the appropriate court."
- SB 1263 ARREST WARRANT PAPER QUALITY (Sanborn)
Eliminates requirement to establish paper quality and durability standards for arrest warrants in the code of criminal procedure.
- SB 1268 TOBACCO PRODUCTS TAX (Emerson)
Increases the tobacco products tax to an additional 37.5 mills per cigarette and 32 percent of the wholesale price for cigars, non-cigarette smoking tobacco and smokeless tobacco beginning October 1, 2004.
- SB 1269 MILITARY FAMILY RELIEF FUND (Garcia) Creates an income tax military family relief fund.
- SB 1270 NATIONAL GUARD FUND CHECK-OFF (Garcia)
Provides for a check-off option on income tax returns for funding for grants for eligible reservists and National Guard individuals and families.
- SB 1271 WEIGHTS AND MEASURES VIOLATIONS (VanWoerkom)
Requires posting on Department of Agriculture Web site of stations found in violation of weights and measures standards.
- SB 1272 GAS PRICE GAUGING POSTING (VanWoerkom)
Requires posting on Web site of gas stations found in violation price gauging as it pertains to the motor fuel tax.
- SR 263 PROPANE AWARENESS DAY (Allen)
Names May 25, 2004 as Propane Awareness Day in Michigan.
- SR 264 GARY COOPER DAVIS (Johnson)
Memorializes Gary Cooper Davis.
- SR 265 FOUR TOPS DAY (Clark)
Names May 26, 2004 as Four Tops Day in Michigan.

COMMITTEE HEARINGS

Hearing times and topics are subject to change.

HOUSE

House Committee	Appropriations: Natural Resources and Environmental Quality
Clerk Phone Number	517-373-8080
Location	521 House Office Building, Lansing, MI
Date	Tuesday, 6/1/2004
Time	9:00 AM
Agenda	SB 1066 (Johnson) Appropriations; zero budget; department of environmental quality; provide for fiscal year 2004-2005. -Public Testimony
	SB 1068 (Johnson) Appropriations; zero budget; department of natural resources; provide for fiscal year 2004-2005. -Decision Making
Chair	Representative John R Pastor

House Committee	Judiciary
Clerk Phone Number	517-373-7256
Location	308 House Office Building, Lansing, MI
Date	Tuesday, 6/1/2004
Time	9:00 AM
Agenda	<p>HB 5338 (Howell) Civil procedure; other; procedure for affidavit of merit for medical malpractice; revise.</p> <p>HB 5905 (Howell) Torts; malpractice; retroactive effect of amended affidavit of meritorious defense in medical malpractice action; allow only with showing of good cause.</p> <p>HB 5311 (Hune) Civil procedure; evidence; introduction of evidence of an expression of sympathy as an admission of liability in a civil action; prohibit.</p> <p>HB 5949 (Howell) Children; custody; reference to child custody in the child custody act of 1970; revise to child parenting.</p>
Chair	Representative Jim Howell
<hr/>	
House Committee	Veterans Affairs and Homeland Security
Clerk Phone Number	517-373-8099
Location	327 House Office Building, Lansing, MI
Date	Tuesday, 6/1/2004
Time	9:00 AM
Agenda	<p>HB 5953 (Sheen) Income tax; checkoff; funding for grants for certain reservists and National Guard individuals and families; provide for check-off option.</p> <p>HB 5954 (Sheen) Income tax; other; military family relief fund; create.</p>
Chair	Representative Mike Nofs
<hr/>	
House Committee	Agriculture and Resource Management
Clerk Phone Number	517-373-8538
Location	327 House Office Building, Lansing, MI
Date	Tuesday, 6/1/2004
Time	10:30 AM
Agenda	<p>HB 5885 (Voorhees) Agriculture; agribusiness; process for issuance of certain permits and licenses; clarify and expand to include discount and refund language.</p> <p>HB 5898 (Meyer) Agriculture; animals; process for issuance of certain pet shop licenses; clarify and expand to include discount and refund language.</p> <p>HB 5901 (Shaffer) Agriculture; animals; process for issuance of certain licenses involving livestock dealers, brokers, or agents; clarify and expand to include discount and refund language.</p>
Chair	Representative Tom Meyer
<hr/>	
House Committee	Appropriations: Corrections
Clerk Phone Number	517-373-8080
Location	House Appropriations Committee Room, 3rd Floor, State Capitol Building
Date	Tuesday, 6/1/2004
Time	10:30 AM
Agenda	SB 1064 (Johnson) Appropriations; zero budget; department of corrections; provide for fiscal year 2004-2005.
Chair	Representative Mike Pumford
<hr/>	
House Committee	Commerce
Clerk Phone Number	517-373-5632
Location	519 House Office Building, Lansing, MI

Date	Tuesday, 6/1/2004
Time	10:30 AM
Agenda	<p>HB 5746 (Koetje) Trade; securities; uniform securities act; repeal and enact uniform securities act (2002).</p> <p>HB 5747 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in Michigan education trust act.</p> <p>HB 5748 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in Michigan penal code.</p> <p>HB 5749 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in revised judicature act of 1961.</p> <p>HB 5750 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in savings and loan act of 1980.</p> <p>HB 5751 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in nonprofit corporation act.</p> <p>HB 5752 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in professional service corporation act.</p> <p>HB 5753 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in Michigan export development act.</p> <p>HB 5754 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in credit services protection act.</p> <p>HB 5755 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in mortgage brokers, lenders, and servicers licensing act.</p> <p>HB 5756 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in Michigan consumer protection act.</p> <p>HB 5757 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in home solicitation sales statute.</p> <p>HB 5758 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in natural resources and environmental protection act.</p> <p>HB 5759 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in Michigan strategic fund act.</p> <p>HB 5760 (Koetje) Trade; securities; adoption of new uniform securities act (2002); update uniform securities act references in public employee retirement system investment act.</p> <p>HB 5761 (Koetje) Criminal procedure; sentencing guidelines; sentencing guidelines for uniform securities act (2002) violation; enact and eliminate provisions relating to repealed securities act.</p> <p>HB 5814 (Meyer) Economic development; local development financing; notification to certain county entities when planning for expansion; require.</p> <p>HB 5815 (Meyer) Economic development; downtown development authorities; notification to certain county entities when planning for expansion; require.</p> <p>HB 5816 (Meyer) Economic development; tax increment financing; notification to certain county entities when planning for expansion; require.</p>
Chair	Representative Clark Bisbee

Clerk Phone Number 517-373-5795
Location 521 House Office Building, Lansing, MI
Date Tuesday, 6/1/2004
Time 10:30 AM
Agenda [HB 5078](#) (Hardman) Occupations; physicians; performance of needle electromyography and the performance and interpretation of nerve conduction studies; include in definition of practice of medicine and clarify who is authorized to perform.
[HB 5637](#) (Hoogendyk) Health facilities; other; matching grant program for the purchase of ultrasound machines by certain entities; provide for.
Chair Representative Stephen R Ehardt

House Committee Education
Clerk Phone Number 517-373-8538
Location 307 House Office Building, Lansing, MI
Date Tuesday, 6/1/2004
Time 2:00 PM or after committees are given leave by the House to meet, whichever time is later.
Agenda Presentation by Junior Achievement.
Presentation by The Leadership Institute (K-RESA).
[HB 5875](#) (Moolenaar) Education; financing; inapplicability of certain requirements for school district purchasing if school district makes purchase through cooperative program with state; provide for.
[HB 5913](#) (LaJoy) State; purchasing; cooperative purchasing program between public schools and the department of management and budget; create.
Chair Representative Brian Palmer

House Committee Government Operations
Clerk Phone Number 517-373-5795
Location 326 House Office Building, Lansing, MI
Date Tuesday, 6/1/2004
Time 2:00 PM or after committees are given leave by the House to meet, whichever time is later.
Agenda [HB 5882](#) (Newell) Human services; adult foster care; process for issuance of certain permits and licenses; clarify and expand to include discount and refund language.
[HB 5886](#) (DeRossett) Occupations; construction; process for issuance of certain licenses; clarify and expand to include discount and refund language.
[HB 5888](#) (LaJoy) Trade; vehicles; process for issuance of licenses under motor vehicle sales finance act; revise.
[HB 5656](#) (Ward) State; purchasing; liability of architects and professional engineers who contract with this state; modify.
Pending Introduction And Referral To Committee:
HB 5962 (Koetje) Education; intermediate school districts; school electors to decide whether to retain current intermediate school district powers and services or to limit intermediate school district powers and services and distribute intermediate school districts millage revenue to constituent districts; provide for in certain intermediate school districts.
Chair Representative James L Koetje

House Committee Appropriations: School Aid (K12)/Department of Education
Clerk Phone Number 517-373-8080

Location 426 State Capitol Building
Date Wednesday, 6/2/2004
Time 8:30 AM
Agenda [SB 1069](#) (Johnson) Appropriations; zero budget; school aid; provide for fiscal year 2004-2005.
-Decision making
Chair Representative John Moolenaar

House Committee Energy and Technology
Clerk Phone Number 517-373-8538
Location 519 House Office Building, Lansing, MI
Date Wednesday, 6/2/2004
Time 9:00 AM
Agenda FOR DISCUSSION ONLY:

[HB 5663](#) (Palsrok) Communications; computers; child protection registry to regulate electronic mail advertisements; provide for.

[SB 1025](#) (Bishop) Communications; computers; child protection registry to regulate electronic mail advertisements; provide for.
Chair Representative Ken Bradstreet

House Committee Tax Policy
Clerk Phone Number 517-373-0070
Location 326 House Office Building, Lansing, MI
Date Wednesday, 6/2/2004
Time 9:00 AM
Agenda [HB 5551](#) (Ward) Property tax; other; collection of overdue taxes on exempt property leased to a for profit business; revise.

[HB 5534](#) (DeRossett) Income tax; credit; contributions after a withdrawal from a Michigan education savings account; allow.

[HB 5535](#) (DeRossett) Retirement; college employees; eligibility of employees for participation in optional retirement program; allow for junior and community college board of control to determine.

[HB 5629](#) (DeRossett) Retirement; college employees; definition of eligible employees; amend.

[HB 5782](#) (DeRossett) Income tax; other; amendments to the Michigan education savings program act to incorporate federal options; provide for.

[HB 5783](#) (DeRossett) Higher education; financial aid; Michigan education trust fund act; revise.
Chair Representative Lorence Wenke

House Committee Appropriations
Clerk Phone Number 517-373-1260
Location House Appropriations Committee Room, 3rd Floor, State Capitol Building
Date Wednesday, 6/2/2004
Time 10:00 AM
Agenda [SB 885](#) (Brown) School aid; categoricals; evaluation tool requirements for intermediate district preschool grants; eliminate.

[SB 1062](#) (Johnson) Appropriations; zero budget; community and junior colleges; provide for fiscal year 2004-2005.

[SB 1063](#) (Johnson) Appropriations; zero budget; department of community health; provide for fiscal year 2004-2005.

[SB 1064](#) (Johnson) Appropriations; zero budget; department of corrections; provide for fiscal year 2004-2005.

[SB 1065](#) (Johnson) Appropriations; zero budget; department of education; provide for fiscal year 2004-2005.

[SB 1066](#) (Johnson) Appropriations; zero budget; department of environmental quality; provide for fiscal year 2004-2005.

[SB 1067](#) (Johnson) Appropriations; zero budget; higher education; provide for fiscal year 2004-2005.

[SB 1068](#) (Johnson) Appropriations; zero budget; department of natural resources; provide for fiscal year 2004-2005.

[SB 1069](#) (Johnson) Appropriations; zero budget; school aid; provide for fiscal year 2004-2005.

Chair	Representative Marc Shulman
House Committee	Conservation and Outdoor Recreation
Clerk Phone Number	517-373-2013
Location	307 House Office Building, Lansing, MI
Date	Wednesday, 6/2/2004
Time	10:30 AM
Agenda	HB 5914 (Rivet) Natural resources; hunting; hunter orange on portable hunting blinds; require. HB 5180 (Caswell) Environmental protection; other; soil erosion and sedimentation control inspections of private property; impose limits.
Chair	Representative Susan Tabor
House Committee	Criminal Justice
Clerk Phone Number	517-373-7256
Location	327 House Office Building, Lansing, MI
Date	Wednesday, 6/2/2004
Time	10:30 AM
Agenda	Update from the Michigan Department of Corrections HB 5842 (Stakoe) Criminal procedure; defenses; requirement for prosecution to show proof that a driver of a fleeing vehicle has knowledge of injuries; eliminate. HB 5846 (Stakoe) Criminal procedure; prosecuting attorneys; notification period to surety for defendants failure to appear; extend to 14 days.
Chair	Representative William Van Regenmorter
House Committee	Insurance
Clerk Phone Number	517-373-5795
Location	521 House Office Building, Lansing, MI
Date	Wednesday, 6/2/2004
Time	10:30 AM
Agenda	HB 5930 (Robertson) Insurance; insurers; insurers rehabilitation and liquidation; permit exercise of a contractual right to terminate, liquidate, or close out netting agreement or financial contract without automatic stay. HB 5931 (Robertson) Insurance; other; use of NAIC-adopted mortality tables; provide for.

[HB 4987](#) (Newell) Insurance; insurers; differential treatment of local retail pharmacies and mail order pharmacies; prohibit.

[HB 5435](#) (Hummel) Insurance; other; pharmacy benefit managers; regulate.

[HB 5436](#) (Richardville) Health; pharmaceuticals; license and regulation of mail-order pharmacies; provide for.

[HB 5437](#) (Plakas) Insurance; health care corporations; differential treatment for certain pharmaceutical services; prohibit.

[HB 5438](#) (Zelenko) Insurance; prudent purchaser agreements; provisions regulating pharmaceutical panels and networks; provide for.

[HB 5732](#) (Whitmer) Health; pharmaceuticals; prohibition against mail-order pharmacies; eliminate.

Chair Representative Larry Julian

House Committee	House Fiscal Agency Governing Board
Clerk Phone Number	517-373-1260
Location	House Appropriations Committee Room, 3rd Floor, State Capitol Building
Date	Wednesday, 6/2/2004 Cancelled
Time	12:45 PM Cancelled
Agenda	Quarterly Report
Chair	Representative Marc Shulman

SENATE

Senate Committee	Finance
Clerk Phone Number	373-1758
Location	Room 100, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date	Tuesday, 6/1/2004
Time	1:00 PM
Agenda	Continued Discussion on Manufactured Home Legislation

[SB 13](#) (Jelinek) Property tax; assessments; assessment increase for new construction, mobile homes, or structures used to house a senior citizen family member; prohibit under certain circumstances.

[SB 477](#) (Basham) Taxation; mobile homes; value based specific tax; establish.

[SB 478](#) (Basham) Property tax; assessments; mobile homes; assess as real property.

[SB 486](#) (Garcia) Property tax; assessments; value based tax system for mobile homes; establish.

[SB 707](#) (Garcia) Sales tax; collections; sales tax on mobile home sales; eliminate.

[SB 708](#) (Garcia) Property tax; assessments; mobile homes; assess as real property.

Chair Senator Nancy Cassis

Senate Committee	Judiciary
Clerk Phone Number	373-3760
Location	Room 210, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date	Tuesday, 6/1/2004
Time	1:00 PM

Agenda

[HB 5494](#) (Julian) State; historic sites; law enforcement memorial monument; create.

[SB 1244](#) (Cropsey) Probate; powers of attorney; appointment of a personal representative for disposition of a body when decedent has no assets or no known family members; allow.

[SB 1261](#) (Bishop) Insurance; no-fault; report prepared by automobile theft prevention authority; eliminate state court administrative office from development of report.

[SB 1262](#) (Patterson) Mental health; code; reference to "state court administrative office"; revise to "the appropriate court".

[SB 1263](#) (Sanborn) Criminal procedure; warrants; requirement to establish paper quality and durability standards for arrest warrants; eliminate.

[HB 5928](#) (Condino) Courts; other; referral to drug treatment court for certain persons eligible for deferred sentence and dismissal of charge; provide for.
Pending Referral

Chair

Senator Alan L Cropsey

Senate Committee

Transportation

Clerk Phone Number

373-7708

Location

Room 110, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933

Date

Tuesday, 6/1/2004

Time

1:00 PM

Agenda

[HB 5008](#) (Huizenga) Vehicles; registration; registration of motorcycle license plate to expire on individual's birthday; require.

[HB 5094](#) (Murphy) Traffic control; pedestrians; requirement for crosswalks within 200 yards of a school where speed limit is 25 miles per hour or higher; provide for.

[HB 5273](#) (Caspersen) Transportation; carriers; penalties for improper transportation of hazardous materials; revise.

[HB 5802](#) (DeRossett) Traffic control; driver license; driver license provisions; revise and make related amendments.

Chair

Senator Judson Gilbert

Senate Committee

Commerce & Labor

Clerk Phone Number

373-2413

Location

Room 100, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933

Date

Tuesday, 6/1/2004

Time

3:00 PM

Agenda

Presentation by the National Federation of Independent Business

[SB 1201](#) (McManus) Economic development; downtown development authorities; procedure to form a joint downtown development authority; provide for.

[SB 1202](#) (Hardiman) Economic development; tax increment financing; historical neighborhood tax increment finance authority; create.

[SB 1206](#) (Van Woerkom) Economic development; enterprise zones; housing inspection ordinance provision; revise.

[SB 1241](#) (Barcia) Economic development; tax increment financing; neighborhood improvement authority; provide for.

Chair

Senator Jason Allen

Senate Committee

Natural Resources & Environmental Affairs

Clerk Phone Number

373-1854

Location

Room 110, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933

Date Tuesday, 6/1/2004
Time 3:00 PM
Agenda Department of Environmental Quality Report - Hydrogeology and Simulation of Regional Groundwater Level Declines in Monroe County

Oversight of PA 148 of 2003 ([SB 289](#))

[HB 5681](#) (Shackleton) Recreation; state parks; destruction to vegetation or property in Mackinac Island state park; establish penalties.

Chair Senator Patricia L Birkholz

Senate Committee Finance

Clerk Phone Number 373-1758

Location Room 110, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933

Date Wednesday, 6/2/2004

Time 1:00 PM

Agenda Discussion with State Treasurer Jay Rising

[HB 4234](#) (Steil Jr.) Property tax; personal property; personal property with a taxable value of less than \$10,000.00; exempt.

[HB 5502](#) (Wenke) Use tax; collections; implementation of a streamlined sales tax; provide for.

[HB 5503](#) (Byrum) Sales tax; collections; implementation of a streamlined sales tax; provide for.

[HB 5504](#) (Condino) Sales tax; collections; implementation of a streamlined sales tax agreement; provide for.

[HB 5505](#) (Koetje) Sales tax; collections; streamlined sales tax equalization act; create.

Chair Senator Nancy Cassis

Senate Committee Health Policy

Clerk Phone Number 373-3543

Location Rooms 402 and 403, Capitol Building, 100 S. Capitol Avenue, Lansing, MI 48933

Date Wednesday, 6/2/2004

Time 1:00 PM

Agenda [HB 5225](#) (Condino) Health; death; rules and regulations for medical examiners when conducting an autopsy to determine the cause of an infant death; require department of community health to promulgate.

[HB 5232](#) (Stakoe) Vehicles; emergency vehicles; ambulance operation licensed to provide advanced life support to operate at a lower level of life support; allow under certain circumstances.

Chair Senator Beverly S Hammerstrom